



Chemical Safety and Hazard Investigation Board

Office of General Counsel

Memorandum

To: Board Members

From: Christopher Warner

Cc: Leadership Team

Subject: Board Action Report – Notation Item 932

Date: June 13, 2012

On June 12, 2012, the Board approved Notation Item 932, thereby adopting Board Order 046, *Most Wanted Chemical Safety Improvements Program*.

Voting Summary – Notation Item 932

Disposition: APPROVED

Disposition date: June 12, 2012

	Approve	Disapprove	Calendar	Not Participating	Date
R. Moure-Eraso	X				6/5/2012
J. Bresland	X				6/12/2012
M. Griffon	X				6/12/2012



U.S. Chemical Safety and Hazard Investigation Board

MEMORANDUM

June 5, 2012

To: Board Members
From: Rafael Moure-Eraso
Cc: Leadership Team
Subject: Notation Item 932

A handwritten signature in black ink that reads "Rafael Moure-Eraso". The signature is written in a cursive style and is positioned to the right of the typed name in the "From:" field.

Attached for your review and vote is Notation Item 932. This item provides for the adoption of a new Board Order 046, *Most Wanted Chemical Safety Improvements Program*.

You may direct any questions about this item to Manuel Gomez. Please return your completed vote sheets to Chris Kirkpatrick by the close of business on June 12, 2012. Thank you for your attention to this item.

**U.S. Chemical Safety and
Hazard Investigation Board**



Hon. Rafael Moure-Eraso
Chairperson

Hon. John S. Bresland
Board Member

Hon. Mark Griffon
Board Member

**CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
MEMBER VOTING RECORD**

Notation No.: 932

Voting Period: June 5 – June 12, 2012

Subject: Adoption of Board Order 046, *Most Wanted Chemical Safety Improvements Program*

Whereas,

1. The Board is authorized by 42 U.S.C. § 7412(r)(6)(C)(ii) to “issue periodic reports to the Congress, Federal, State and local agencies ... concerned with the safety of chemical production, processing, handling and storage, and other interested persons, recommending measures to reduce the likelihood or the consequences of accidental releases and proposing corrective steps to make chemical production, processing, handling and storage as safe and free from risk of injury as is possible”;
2. A program identifying the most important chemical safety improvement goals of the CSB would enhance the CSB’s advocacy for the Board’s recommendations; and
3. The attached proposed Board Order would establish such a program.

Therefore, the Board, pursuant to its authority under 42 U.S.C. § 7412(r)(6)(N), hereby votes to adopt the attached proposed Board Order as Board Order 046, *Most Wanted Chemical Safety Improvements Program*.

_____ I **APPROVE** this notation item **AS PRESENTED**.

_____ I **CALENDAR** this notation item for discussion at a Board meeting.
_____ *Some of my concerns are discussed below or on the attached memorandum.*

_____ I **DISAPPROVE** this notation item.
_____ *A dissent is attached.*
_____ *I will not file a dissent.*

_____ I am **NOT PARTICIPATING**.

Date: _____

Member: _____



U.S. Chemical Safety and Hazard Investigation Board

SUBJECT: Most Wanted Chemical Safety Improvements Program

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DRAFT

1. **PURPOSE.** This Order establishes a “Most Wanted Chemical Safety Improvements Program” (“Most Wanted Program” or “Program”) for the Chemical Safety and Hazard Investigation Board (CSB) to:
 - identify the most important chemical safety improvement goals of the CSB in the form of a “Most Wanted List” of Chemical Safety Improvements, which will be based on recommendations resulting from CSB investigations, studies, hearings, and similar fact-finding activities;
 - make efficient use of limited resources to pursue implementation of changes that are most likely to achieve important national-level safety improvements;
 - focus special advocacy efforts by Board Members and staff on the Most Wanted List;
 - inform the CSB’s deployment decisions and strategic allocation of staff resources; and
 - issue periodic reports of the activities of the Program.

This Order provides policy guidance for the conduct of the Program, including the periodic selection and advocacy of the Most Wanted List, issuance of periodic reports on the Program, guidelines for advocacy by Board Members and staff, and a summary of the key roles of staff offices in the Program. As described in this Order, the extent of advocacy activities surrounding the Most Wanted List will depend on the resources available to the CSB.

2. **EFFECTIVE DATE.** This Order is effective upon passage by the Board.
3. **BACKGROUND AND AUTHORITY.** The CSB authorizing statute, 42 U.S.C. § 7412(r)(6)(C)(ii) assigns the CSB the responsibility to “issue periodic reports to the Congress, Federal, State and local agencies ... concerned with the safety of chemical production, processing, handling and storage, and other interested persons, recommending measures to reduce the likelihood or the consequences of accidental releases and proposing corrective steps to make chemical production, processing, handling and storage as safe and free from risk of injury as is possible”

The CSB conducts investigations, studies, and research concerning chemical incidents and hazards (or potential hazards), and the Board issues preventive or corrective recommendations to various parties based upon the findings of those activities to prevent similar incidents in the future. These recommendations serve as the basis for the Most Wanted List.

4. **POLICY.** The Most Wanted List will be a group of critical safety improvements selected by the Board for intensive follow-up and heightened awareness. The list will be based primarily on CSB recommendations and their potential to enhance chemical safety at the national level when implemented, but may also involve broader issues

drawn from other fact-finding activities of the CSB. The selection of the Most Wanted List will consider and assess risk, through information such as:

- a. the nature of the risk and estimated extent of exposure to workers and offsite populations;
- b. previous loss and potential for future loss of life or property, illnesses, and environmental damage;
- c. very high risks disproportionately affecting discrete but highly identifiable groups of individuals (e.g., a narrow sector of industry or certain specialized workers facing a very high probability of risk);
- d. strong concern of important sectors of a community, civic leaders or the like; and
- e. The possibility that advocacy will help bring about change.

At least once per year, the Board shall vote to select or revise the Most Wanted List based on factors such as a review of the advocacy activities of the previous year, staff advice, arising opportunities for impact, and others.

The list shall be published on the CSB webpage and publicized through other means.

The Most Wanted List does not preclude advocacy for all other recommendations issued by the CSB, and may be modified as the status of issues change during the year (e.g., recommended actions are implemented by recipients, new opportunities arise).

5. **RESPONSIBILITIES.**

a. **Board Members.**

- (1) Periodically vote to select the “Most Wanted List” and monitor the operation of the Program.
- (2) Consider additions or other changes to the Most Wanted List during the year as necessary.
- (3) Select and individually take the lead in advocating specific “Most Wanted” issue areas through speeches, editorials, scientific and lay articles, interviews, contacts with potentially influential stakeholders, press conferences, videos, and similar activities.

b. Role of Staff Offices in the Program.

(1) Office of Recommendations.

- (a) Act as the primary staff office responsible for coordinating the implementation of the Program, including the contributions of other offices.
- (b) Assign a specific staff member as the lead person accountable for coordinating the Most Wanted Program.
- (c) Annually develop and recommend a draft Most Wanted List to the Board for consideration.
- (d) Develop and deliver periodic progress reports, at least annually, on the Program to the Board and others.
- (e) Identify, recommend, and participate in advocacy activities, consistent with resources.
- (f) Recommend additions or other changes to the Most Wanted List during the year as necessary.
- (g) Collaborate with the Office of Congressional, Public, and Board Affairs as described in 5.d., below.

c. Office of Congressional, Public, and Board Affairs.

- (1) Prepare and distribute written, audio-visual, and other relevant materials to encourage coverage of the Most Wanted List and its issues.
- (2) Contact media sources to encourage coverage of the Most Wanted List.
- (3) Post the Most Wanted List and related information on the CSB website, and update as needed.
- (4) Collaborate with the Office of Recommendations on the items listed in 5.d., below.

d. The two above departments will collaborate in:

- (1) helping draft speeches, articles, editorials, and similar written pieces to submit to print or electronic publications on behalf of Board or staff members;
- (2) assisting the Board Members in identifying and participating in events, speaking engagements, and similar activities likely to contribute to the advocacy of the Most Wanted List;

- (3) assisting the Board Members in preparation of slides, presentations, handouts, and other materials related to advocacy of the Most Wanted List;
- (4) helping identify venues for Board Member and staff presentations that present opportunities for advancing the Most Wanted List, and encourage Board and staff members to present; and
- (5) preparing web, printed, and audio-visual materials for advocacy activities.

e. **Office of Investigations.**

- (1) Support advocacy activities through testimony, hearings, contacts with recipients and potential supporters, public presentations, interviews, and similar activities.
- (2) Recommend changes to the Most Wanted List during periodic reviews or at other times, as necessary.

6. **ADVOCACY.** Board Members and staff will advocate for the items on the Most Wanted List through these and similar methods:

- a. publicizing the Most Wanted List Report;
- b. conducting public education through the CSB webpage;
- c. using web announcements, press releases, press conferences, interviews, editorials, and similar written pieces;
- d. providing testimony at federal, state, or local legislative, administrative, and rulemaking hearings, and similar venues;
- e. featuring the Most Wanted List in Board and staff speeches, especially before groups that may advance the implementation of issues on the list; and
- f. engaging in written and verbal communication with recommendation recipients, other interested parties, and important stakeholders on behalf of items on the Most Wanted List.

7. **REVIEW AND UPDATE.** The Managing Director with the support of the Office of Recommendations and other staff shall be responsible for reviewing this Order on a periodic basis and for proposing revisions to the Board.

U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

June __, 2012.